

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

NATIONAL FEDERATION OF THE BLIND, on *
behalf of their members and itself, MARK *
CADIGAN, MIKA PYYHKALA, LISA IRVING, *
ARTHUR JACOBS, JEANINE KAY LINEBACK, *
and HEATHER ALBRIGHT, on behalf of *
themselves and all others similarly situated, *

Plaintiffs, *

v. *

THE CONTAINER STORE, INC. *

Defendant. *

C.A. No. 1:15-cv-12984-NMG

JOINT MOTION TO RESET SCHEDULING ORDER DEADLINES

Plaintiffs and Defendant, through undersigned counsel, hereby jointly move to reset the scheduling order deadlines in this matter. Plaintiffs have filed a motion for class certification and Defendant has filed a motion for summary judgment. Both of these motions have been fully submitted to the Court. The current schedule requires the parties to complete expert depositions by the end of January, 2020. Because a decision on the pending motions will determine the scope of expert discovery that is needed in this case, the parties request that the Court permit the parties to defer expert depositions for no later than 30 days after the Court decides the pending motions. The parties request that the remaining deadlines on the current scheduling order be postponed accordingly.

Pursuant to Federal Rule of Civil Procedure 16(b)(4), a discovery schedule “may be modified only for good cause and with the judge’s consent.” Fed. R. Civ. P. 16(b)(4). There is good cause to reset the discovery schedule. Resetting the scheduling order deadlines will allow

the parties to conduct the necessary expert witness depositions, submit any further dispositive motions and prepare for trial only after the Court decides the pending motions for class certification and summary judgment.

The parties respectfully request that the Court reset the remaining scheduling order deadlines as follows:

Expert Depositions Completed	30 days after the Court's ruling on Plaintiffs' Motion for Class Certification and Defendant's Motion for Summary Judgment
Dispositive Motions Due	30 days after Expert Depositions Completed
Final Pretrial Conference	14 days after rulings on Dispositive Motions

In the alternative, if the Court declines to extend the schedule as requested above, the parties request a one-month extension of the expert deposition deadline (to February 29, 2020) and a 30-day adjournment of the dispositive motion deadline (to March 31, 2020). Therefore, the parties request that this Honorable Court reset the scheduling order deadlines in this matter.

Respectfully submitted,

**NATIONAL FEDERATION OF THE
BLIND, MARK CADIGAN, MIKA
PYYHKALA, LISA IRVING, ARTHUR
JACOBS, JEANINE KAY LINEBACK,
and HEATHER ALBRIGHT,**

By Their Attorneys,

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CERTIFICATE OF SERVICE

I, Jeremy Y. Weltman, certify that on this 21st day of January, 2020, I caused a true copy of the foregoing *Joint Motion to Reset Scheduling Order Deadlines* to be filed with the Clerk of the United States District Court for the District of Massachusetts through the Court's Electronic Case Filing system ("ECF") and to be served through ECF upon counsel of record, with paper copies sent to any person indicated on ECF as a non-registered participant:

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